

## COMMISSION MEETING MINUTES

### Indiana Fire Prevention and Building Safety Commission

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

November 5, 2008

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:04 a.m. on November 5, 2008.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Michael Christoffersen  
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health  
Hattie Simms, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
John Hawkins  
M. Burke Jones  
Ted Ogle  
James Ridley

- (b) Commissioners not present at the Commission meeting:

Michael Corey

- (c) The following departmental and support staff were present during the meeting:

Support Services Division, Legal and Code Services  
Mara Snyder, Director, Legal and Code Services  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Raleigh Kouns, Code Specialist  
Bob Robinson, Code Specialist  
Beth Sutor, Secretary

- (d) Deputy Attorney General James Schmidt was present.

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the October 7, 2008 meeting as distributed. Chairman Hannum noted that on page two, he was quoted instead of Vice-Chairman Cundiff. A motion to approve the minutes as distributed with the correction noted by the Chairman was made by Commissioner Christoffersen and seconded by Commissioner Cundiff. It was voted upon and carried.

3. **Third Party Inspection Renewals.**

Shelley Wakefield, Director of Fire and Building Code Enforcement, presented the third party inspection renewal requests for Professional Service Industries Inc. of Orlando, Florida, RADCO of Long Beach, California and PFS of Cottage Grove, Wisconsin. She recommended approval for a period of one year. Commissioner Christoffersen moved to approve for one year. Commissioner Jones made the second. The motion was voted upon and carried.

4. **Variances.**

**Tabled Variances.**

Variance 08-10-4 Indiana Live at Indiana Downs, Shelbyville, was represented by Mark Riffey of Ryan FireProtection and Ralph Gerdes of Ralph Gerdes Consultants. A question had previously been raised as to the ability of the ceiling grid to hold the weight of the water at sprinkler activation. Mr. Riffey explained that the grid was designed to hold the additional water weight of 1½" of water, but that the troughs will only hold 1" before it spills into a drain system and over the edge of the grid. He also noted that the reconfigured ceiling cost 2 million dollars and the planned ceiling already was on site. Mr. Gerdes explained the fire protection modeling he had done, and that it was 295 seconds for the sprinkler activation for light hazard. Mr. Gerdes had contacted fire services in Las Vegas who regularly deal with casinos who explained their approach to fire protection, and was told that his proposed actions were appropriate. Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance 08-10-5(b)(c) Argosy Casino, Lawrenceburg, was presented by Benjamin Elfreich, Kone Elevators. Commissioner Hawkins moved to table until Commissioner Corey was present with the second by Commissioner Ogle. When explained that the Ecospace elevator requests had been heard many times before, the maker and second withdrew their motion. Variance (b) was to allow wires which were not compliant. Debra Jackson, Director, Elevator and Amusement Division, had no objections to the variance though she noted it was for six units and not just one. Commissioner Ogle moved to approve with the correction of the application to reflect the correct unit count. Commissioner Ridley made the second. It was voted upon and carried. Variance (c) was to allow a cab size smaller than that called out by accessibility requirements, though still able to accommodate gurneys. Ms. Jackson had no objections to the variance. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried. Variance 08-10-10 Lucas Oil Stadium, Indianapolis, was represented by Chad Scheckel, HKS, Inc. Architects. He presented a sample of the film produced by 3M to be applied to the interior side of the glass to prevent shattering. The owners were given a letter from the manufacturer that instructed them to replace the film at the end of its life expectancy, and the owners have agreed to do this. Commissioner Ridley moved to approve with the condition that the film be replaced per the manufacturer's recommendations. Commissioner Cundiff made the second. It was voted upon and carried. Variance 08-10-15(b) Cosmopolitan on the Canal, Indianapolis, had not been heard at the October meeting. It was represented by Ed Rensink for Tim Callas who was unable to attend. Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance 08-10-36 JP Morgan Chase Main Telephone Room 5<sup>th</sup> Floor, Indianapolis, was represented by Rich Woodcock. The variance had been tabled due to some code confusion, and was now being amended to show IBC 904.2 and a request to substitute halon sprinklers for the computer room. TJ Burns, Indianapolis Fire Department, had no objections to the variance, and noted that had the proponent come to his office first, no variance would have had to have been filed. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

**Regular Variances.**

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. Commissioner Christoffersen called out variance 08-11-26, Asphalt Materials Inc. Storage Tank, Indianapolis. Commissioner Jones moved to approve all "A" and "B" variances with the second being made by Commissioner Christoffersen. The motion was voted upon and carried.

The following variances were approved as submitted:

- (1) 08-11-2(b) Cosmopolitan At the Canal, Indianapolis
- (2) 08-11-5 Bowne and Company, South Bend
- (3) 08-11-12 Maple Manor Apartments, Schererville
- (4) 08-11-16 E.L. Hutton Honors College, Bloomington
- (5) 08-11-17 Marriott Courtyard / Springhill Suites, Indianapolis
- (6) 08-11-18 BSU Student Recreation and Wellness Facility, Muncie
- (7) 08-11-21(a)(b) The Fleener Building, Bloomington
- (8) 08-11-23(b) Hilton Garden Inn, Greenwood
- (9) 08-11-24 SMC Pneumatics, Noblesville
- (10) 08-11-25(a) Columbus Commons Office Building, Columbus
- (11) 08-11-28 Kroger Store, Speedway
- (12) 08-11-29 Illiana Islamic Mosque, Highland
- (13) 08-11-32 Community Hospital South Expansion, Indianapolis
- (14) 08-11-33 Community Hospital South Expansion, Indianapolis
- (15) 08-11-34 Indiana Design Center, Carmel
- (16) 08-11-35 Mt. Vernon Community Schools Pool Renovation, Fortville
- (17) 08-11-37 Binford Elementary School Addition, Bloomington

The following variances were heard separately:

- (18) 08-11-1 First Mennonite Church, Montgomery

Thomas Schroeder, architect, spoke as proponent. The request was to omit a required sprinkler system from the A-3 occupancy. The church does not have an adequate water supply available to support a sprinkler system. They propose to install a flushing hydrant on the grounds to provide a pool of water for the fire department's use. The building will have a manual alarm system. The lower level has an exit going up a half flight of stairs and then to the exterior, and another going up the stairs and out through the building. There are three additional oversized window wells for access to the lower level by responders. There is no kitchen in the lower level. After discussion, Commissioner Cundiff moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote.

- (19) 08-11-2(a)(c) Cosmopolitan At the Canal, Indianapolis

Benjamin Elfreich, Kone Elevators, was the proponent. The variance applications were the same as the applications for the Argosy Casino, and Debra Jackson, Director, Elevator and Amusements Division, had the same comments and no objections. Commissioner Ridley moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (20) 08-11-3 Simon Music Center 215 Auer Hall Renovation, Bloomington

James McQuiston, architect, spoke as proponent. An existing recital hall is having the pipe organ relocated. All other systems and all life safety issues are unchanged. The request is to allow a glass railing standing 26" high to be installed in front of the choir loft to allow an uninterrupted view of the choir, organ, and a screen which can be raised from the loft floor. All other railings on the second floor

are at 26". After discussion of the interpretation of the code and if the railings were actually required to be 36" high, Commissioner Hawkins moved that no variance was required. Commissioner Ridley made the second. It was voted upon and carried.

(22) 08-11-4 Crossroads Community Church Phase One, Bedford

Pastor Ken Ransom spoke as proponent. The existing, all steel building has passed inspections for 12 years. The inspector called out 5 doors serving the child care room and corridor which was found not to be compliant, though it had not been changed from the original inspection. Shelley Wakefield, Director of Fire and Building Code Enforcement, explained to the Commission that she had inspected the building when built and that she had missed the issue with the door gaskets herself. She also stated she had no objections to the variance. After discussion, Commissioner Ogle moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote being cast.

(23) 08-11-6(a)(b) IPL FDG System Chimney, Indianapolis

Ray Askins, American Service Group, spoke as proponent. The request in variance (a) was to allow the installation of a special use elevator inside the chimney. The elevator would not be used by the public, and would be used by plant personnel for 3 or 4 days every 6 months for testing. Variance (b) was to allow the escape hatch of the elevator to be non-compliant by 1/2" on one side and 1 1/2" on the other. Debra Jackson, Director, Elevator and Amusements, had no objections to the variances. Commissioner Christoffersen moved to approve both variances with the condition that weight in the elevator doesn't exceed 1500 pounds. Commissioner Ridley made the second. It was voted upon and carried.

(24) 08-11-7 Our Lady of Providence High School, Clarksville

John Weesner, Weesner's Code Solutions, spoke as proponent. After distributing a corrected drawing showing that the room just above the office is a conference room with an occupant load of 12, he requested that they be allowed to exit from sprinklered to non-sprinklered areas of the building. All other violations from the inspection had been corrected. After discussion of door swings and exiting, Commissioner Brenner moved no variance was required with the second by Commissioner Jones. It was voted upon and carried.

(25) 08-11-8 Indiana University Regulated Explosives User/Owner License, Bloomington

Mara Snyder, Director, Legal and Code Services, spoke for the proponent. She explained the proponent was driving up from Bloomington and had expressed a concern they may not be on time. She asked that the variance be heard later in the agenda. The Commission granted the request.

(26) 08-11-10(a)(b)(c) Bedford Golden Corral, Bedford

Nathan Grimes, Renaissance Design Build Inc, spoke as proponent. The request for the dining room addition was to omit sprinklers, to allow a non-compliant fire barrier, and to allow exits which did not meet the remoteness requirements. The addition had been attached in its particular location due to site constraints. The proponent offered to install an additional exit door and put in a 3-hour rated overhead

fire door with fusible links at the connection of existing and addition, but the fire barriers cannot be carried to the roof deck due to previous construction. After further discussion, Commissioner Christoffersen moved to deny all three variances. The second was made by Commissioner Brenner. It was voted upon and carried.

- (27) 08-11-8 Indiana University Regulated Explosives User/Owner License, Bloomington

At the request of the proponent, Commissioner Christoffersen moved to table for 30 days to allow the proponent to attend. Commissioner Jones made the second. It was voted upon and carried.

- (28) 08-11-11 God's House, Lafayette

Pastor Ed Underwood spoke as proponent. The request was to renew permission to be allowed to omit sprinklers in their meeting place. The site, located in a strip mall, had been granted the variance request the year before while the members of the church were searching for a building to purchase. The purchase had not gone through, and the search was still ongoing at the end of the effective period of the variance. It was noted by staff that the owner had not signed the application which made it incomplete and ineligible to be heard. It was tabled for a period of thirty days.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:28a.m. He then reconvened the meeting, calling it back to order at 10:43 a.m.

- (29) 08-11-13(a)(b) Walden Inn Interior Renovation, Greencastle

Ed Rensink, acting for Tim Callas, spoke as proponent. During the reconfiguration of the lobby area, a wall between the existing dining and waiting area had been moved and consequently cited as non-compliant. The request in variance (a) is to allow the 2-hour fire barrier to be omitted. The dining area, as well as the kitchen, will be sprinklered. After discussion, Commissioner Cundiff moved to approve. Commissioner Ogle made the second. It was voted upon and carried. Variance (b) is to allow a 26 foot dead-end corridor created by the reconfiguration. A sign will be posted on the door which swings into the lobby stating it is not an exit. Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (30) 08-11-14 Landmark of Lockerbie, Indianapolis

Ed Rensink, acting for Tim Callas, spoke as proponent. The addition of lofts in an existing building built under the 2003 IBC triggered the requirement for sprinklers. They will not be used for sleeping areas and will be conditioned to prohibit that use. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (31) 08-11-15 Indiana National Guard Office, Indianapolis

Ed Bobowski, Hamilton's Accessibility, spoke as proponent. The request was to allow a vertical platform lift to travel 14' instead of the permitted 12'. A letter from the manufacturer stating that the elevator was designed to travel up to thirty feet was provided. Commissioner Cundiff moved to approve with the second being made by Commissioner Jones. It was voted upon and carried.

- (32) 08-11-19 Washington Township Trustee Office, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The assembly area of the space in a retail center which is to be used for a court room and offices is over the 10% allowed for accessory use. Plan Review feels the 10% is of the tenant space and not the entire building. A 2-hour separation will be provided. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (33) 08-11-20 Plainfield High School, Plainfield

Ed Rensink, RTM Consultants, spoke as proponent. The school has installed thumb turn devices on toilet rooms, locker rooms and athletic offices. There are no other locks on these doors. Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It's noted they don't have the elongated bow and they are not ADA compliant. The motion is withdrawn. Randy Cooley, Fire and Building Code Enforcement inspector, presented information to the Commission about the thumb turn locks. After discussion, Commissioner Cundiff moved that no variance is required since thumb turn locking devices are permitted on doors, including exit doors, where the thumb turn device is the only latching mechanism on the door and requires only one action to operate. Commissioner Christoffersen made the second. It was voted upon and carried.

- (34) 08-11-22 Goshen Collision Center, Goshen

Al Maurer, owner, spoke as proponent. The request was to omit the sprinkler system on an existing spray booth. The booth had been installed and in operation since 1993 and never received any citations until now. To install the system is cost prohibitive and could result in closing the business. Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (35) 08-11-23(a)(c) Hilton Garden Inn, Greenwood

Benjamin Elfreich, Kone Elevator, spoke as proponent. The issues were a non-compliant cab and suspension rope diameters and numbers as had been heard earlier with 08-11-2, Cosmopolitan on the Canal, Indianapolis. Commissioner Ridley moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (36) 08-11-25(b)(c) Columbus Commons Office Building, Columbus

Benjamin Elfreich, Kone Elevators, spoke as proponent. The variances were the same as those in 08-11-23 and 08-11-2. Commissioner Ogle moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

- (37) 08-11-26 Asphalt Materials Inc. Storage Tank, Indianapolis

The proponent could not attend. Adam Holman, City of Indianapolis, explained why the citation had been issued to the company. The department felt the structure was covered under Chapter 34 of the Fire Code which led to the Building Code for aboveground tanks, IBC 34.9.2.3. The department thinks it should have a 12' vertical rise and landings. After a lengthy discussion of numbers of stories and if the stair is a required stair or not, Commissioner Cundiff moved no variance was required with the second

by Commissioner Christoffersen. It was voted upon and carried with one nay.

- (38) 08-11-27 Bob's Collision Service Paint Booth, Goshen

The proponent was unable to attend. From the information provided in the application concerning omitting the sprinkler system, Commissioner Ridley moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (39) 08-11-30 Witham Memorial Hospital MOB 2, Lebanon

Ed Rensink, RTM Consultants, spoke as proponent. The issue was a lavatory in the clear space of a toilet room of an office. Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (40) 08-11-31 Crowne Plaza Hotel, Indianapolis

The proponent requested the variance application be tabled. Commissioner Ogle moved to table with the second by Commissioner Cundiff. It was voted upon and carried.

- (41) 08-11-36 FedEx Hanger Composite Booths, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Due to a misunderstanding about who serves as the local building official for the airport, the variance application was incomplete and ineligible to be heard. Commissioner Jones moved to table with the second by Commissioner Brenner. It was voted upon and carried.

- (42) 08-11-38 Beverly Plumbing & Heating Warehouse & Office, Clinton

Judith Kleine, architect, and Jeff Beverly, owner, spoke as proponents. The owner of the building had begun construction before learning the building needed to be filed. He then found that two walls were too close to the property line without being fire-rated. The walls in question face a park. The local fire and building officials don't object. Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

10. **New Business – General.**

Discussion and Possible Commission Action

Butler College of Pharmacy  
Administrative Cause No. 08-62  
Denial of Variance  
Nonfinal Order of Dismissal

Renaissance Bay  
Administrative Cause No. 08-61  
Denial of Variance  
Nonfinal Order of Dismissal

Quality Inn  
Administrative Cause No. 08-53  
LFO Order  
Nonfinal Order of Dismissal

Golden Corral, Bedford  
Administrative Cause No. 08-49  
SFM Order  
Nonfinal Order of Dismissal

Horizon Property Center  
Administrative Cause No. 08-55  
LFO Order  
Nonfinal Order of Dismissal

The Jungle Room  
Administrative Cause No. 08-31  
LFO Order  
Report of Status Conference and  
Nonfinal Order of Dismissal

After discussion, Commissioner Jones moved to affirm all seven of the Nonfinal Orders of Dismissal. Commissioner Ogle made the second. It was voted upon and carried.

Discussion and Commission Action on Petitions For Review (All are timely filed unless otherwise noted.)

East Allen County Schools and Woodland Jr/Sr High School  
Order – Fire and Building Code Enforcement

East Allen County Schools and Leo Elementary School  
Order – Fire and Building Code Enforcement

Franklin White Castle  
Denial of Variance 08-10-3

Fischer Attached Homes II, LLC  
Occupancy Classification of CDR #337490



Commissioner Cundiff moved to approve all timely filed petitions for review. Commissioner Christoffersen made the second. It was voted upon and carried.

11. **Building Code Chase Amendments and Significant Code Changes** – Bob Robinson

Bob Robinson, Code Specialist, had distributed information on proposed Building Code chase amendments to be discussed at the December meeting. Also distributed was information on the significant changes for the 2009 International Building Code showing ambulatory care, high rise, residential sprinkler requirements for townhouses and fire code issues impacting the building codes. Commissioner Ridley and Commissioner Hawkins were asked to lead the discussion of these issues at the December meeting.

12. **Fire Code Chase Amendments and Significant Code Changes** - John Haines

John Haines, Code Specialist, had distributed information on the Fire Code chase amendments and one proposed code change from Rodney McCulloch of RTM Consultants to be discussed at the December meeting. Also distributed was information on significant changes to the model fire code, including fire exiting during lockdowns in schools, to be discussed at the December meeting.

13. **Comments** – Mara Snyder

In response to Chairman Hannum's question on the current status of the Swimming Pool Code and Electrical Code, John Hibner stated the pool committee was meeting next week to work on issues concerning public pools and to work on Rule 4 which is to be inserted into the Residential Code. Raleigh Kouns noted that he is finishing up the fiscal impact research for the Electrical Code which will allow the notice of intent to be filed.

14. **Adjournment.**

Chairman Hannum adjourned the meeting at 11:42 a.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman